



**PARK CITY COUNCIL MEETING MINUTES
445 MARSAC
PARK CITY, UT 84060
SUMMIT COUNTY, UTAH**

February 25, 2016

The Council of Park City, Summit County, Utah, met in open meeting on February 25, 2016, at 2:15 p.m. in the City Council Chambers.

Council Member Worel moved to close the meeting to discuss property, litigation, and personnel at 2:15 p.m. Council Member Gerber seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, Matsumoto and Worel.

STUDY SESSION

1. Park City Strategic Planning Discussion:

Jed Briggs indicated this session would focus on the priority of being a world class multi-seasonal resort destination. He showed a graph of results taken from an annual survey that indicated the City rated higher than the average benchmark of former years. Discussion ensued with regard to the "good" and "excellent" ratings. The majority of the Council requested that the "excellent" ratings be shown in future analyses so it could be determined if those ratings were increasing.

Briggs reviewed the recent successes and current challenges which were included in the packet materials. Council Member Worel stated she heard it was very difficult to get ice time at the ice arena, which was why the City was considering adding another sheet of ice. Amanda Angevine, Ice Operations Manager, indicated that the ice was booked year round. The challenge of parking at the golf course was also discussed. Council Member Beerman stated a challenge that was gaining momentum was non-resident users of the City's facilities and trails. Council Member Henney wondered if facilities were being built for residents or for the visitors and resorts, and felt that if the focus was on the residents, the visitors and resorts would fare well too. Mayor Thomas thought the focus had been misaligned as the City focused on the tourism component of the community. Council Member Henney hoped the focus could shift back to the community. Council Member Gerber thought focus could be put on the downtown area

as well. There was further discussion on the proper focus of the City with regard to this priority.

Desired Outcomes for this priority were reviewed. Briggs indicated the desired outcomes should be renamed, and he would bring some alternatives back to the Council. He talked about the trends and opportunities shown in the packet and stated these were some things that could be on the horizon and should be considered. Blake Fannesbeck, Public Works Operations Manager, asserted there were some new technologies he was seeing in Transit, including clean emissions and Wi-Fi service in the buses. Discussion ensued on electric buses.

WORK SESSION

Council Questions and Comments:

Council Member Henney stated he attended Representative Powell's open house at the library, and indicated he was proud of having Representative Powell represent Park City at the Legislature. He attended a Joint Transportation Advisory Board (JTAB) meeting and indicated they were finishing up the studies and moving to the implementation phase. He attended a Long-Range Transportation Planning Executive Committee meeting, and the Council of Governments (COG) meeting, where he heard a presentation on solar power. Council Member Henney also spoke about the Utah Wildland Fire Policy update. He went to the Recycle Utah Board meeting, as well as the Prospectors Square Property Owners Association meeting. He also attended the Park City "Day at the Legislature," and thanked Matt Dias and Ann Laurent for their efforts with that event.

Council Member Worel indicated she was continuing her orientation with every City department. She attended the transportation meeting. She enjoyed the Consent Training held with the County. She also attended the Park City "Day at the Legislature," and felt bridges were being built between the entities.

Council Member Gerber indicated she attended the Historic Park City Alliance (HPCA) meeting, where parking issues were discussed and a Sundance debrief was given. She also attended the Planning Commission meeting.

Council Member Matsumoto stated she attended the Library Board meeting. She also attended the Historic Preservation Board, and noted they were working on guideline changes and they wanted to get the word out so feedback could be received. She attended the Consent Training and Summit Lands meeting as well.

Council Member Beerman stated he attended the Legislative Policy meeting, and many meetings with the Mountain Accord, which was restructuring so as to govern it going forward. He attended the Citizens Open Space Advisory Committee (COSAC) meeting, as well as the Park City "Day at the Legislature." Council Member Beerman indicated that Moab, St. George and Provo were interested in matching the Park City energy goal

and would like to see a resolution pertaining to that goal that could be used as a template for their cities. He also noted the Community Choice Aggregation (CCA) discussion was continuing, with the group looking for energy alternatives, and stated Summit County would be asking for financial support for this group. He suggested having a discussion with regard to the financial support at an upcoming work meeting.

Mayor Thomas attended the Consent Training, the Park City “Day at the Legislature,” and he also met with the new director of the Holy Cross Ministries, Maria Harrington, who would begin discussions in this area with regard to poverty issues.

2. Community Engagement Quarterly Update 2016:

Phyllis Robinson, Communications and Public Affairs, presented this item. She reviewed that a set of guiding principles were created for community outreach in 2014. Council Member Beerman asked if the City could be multi-channeled, taking advantage of social media to get the word out to the community. Council Member Gerber echoed that thought, asking that different methods be used to reach the different groups within the City. Council Member Henney liked emphasizing community outreach at the early stages of different projects. Council Member Worel favored the proactive aspect of the guiding principles, and felt the City should initiate communication so feedback could be received upfront.

Robinson reviewed the engagement process and indicated the different methods used in 2015 to reach out to the community – educating the residents on the upcoming projects, events, etc. She also spoke about the use of Twitter and other social media. Robinson discussed the projects planned for 2016 and the outreach involved with those. A possible blog connected to the City website was also proposed. She noted the blog would be good to collect data via surveys.

Mayor Thomas expressed his support for community engagement and stated the right tool was necessary for each project, event, etc., so the right groups could be reached. Council Member Henney thought that having an hour on KPCW each Friday for discussion on community issues would be excellent. Council Member Gerber liked that idea. She also felt the problem with lack of community engagement should be identified. She thought if the problem was included with the project, the community might be more interested. Another issue was the timing of the outreach meetings, and she suggested lunch meetings or evening meetings might draw more people as opposed to the 5:00 p.m. or 6:00 p.m. meeting time slots. Council Member Worel liked the ideas that Council Members Henney and Gerber suggested. She thought it might be valuable to brainstorm more ideas like these in a future work meeting. Council Member Beerman asked if more videos were being produced to educate citizens. Craig Sanchez, Sustainability, indicated there were some videos and they would be shown at the Council retreat. He also felt it was important to share the City’s critical priorities with the community. Council Member Matsumoto agreed with the other Council members and spoke about the “What’s Next?” step.

Foster indicated that some of the brainstorming sessions could take place at the retreat if the Council desired. Mayor Thomas thought time should be allotted at the retreat for a community outreach discussion. Foster also asked if staff should prepare a State of the City presentation for April.

3. Discuss Potential Amendments to Internal Personnel Policies and Procedures:

Brooke Moss, Human Resources Manager, presented this item. She reviewed that the Council requested that her team come up with some benefits that might entice employees to stay with the City long-term since the job market was very competitive.

Council Member Worel asked why subsidized child care was not recommended. Moss stated it was a very expensive benefit, and it would only target part of the employees. Moss indicated the main focus was on the pay plan. Council Member Gerber asked about maternity and paternity leave. Moss indicated six weeks of paid maternity leave was given to full time employees, and paid paternity leave was increased from one week to three weeks last year, but added that her committee could revisit that benefit if the Council so desired. Council Member Beerman stated it was a challenge not to be competitive with other cities. He felt childcare would conform with the City's priorities and suggested partnering with an organization that already provided that care so the City wouldn't have to create its own program. He also thought subsidized housing would be a great incentive for employees to live in town. Council Member Henney asked about the housing allowance. Moss explained that employees living within the three Park City zip codes were eligible for the allowance.

Foster stated that only 40% percent of job applicants were qualified, so it was imperative that the City remain competitive. Moss stated she hoped the increased pay would help commuters as well as employees that lived in Park City absorb the high costs associated with housing or commuting. Council Member Henney stated he would like to discourage commuting and encourage those that lived in the City by increasing affordable housing options. Rhoda Stauffer, Affordable Housing Specialist, indicated that 20% of full time employees lived within the City limits, 10% lived within the school district boundaries, and the rest lived in the County and valley. There was discussion on the affordable housing dilemma. The Council was supportive of the benefits as presented.

4. Discuss Storm Water Utility and User Fee:

Jason Christensen, Public Utilities, presented this item with Clint McAfee, Water Manager. McAfee stated the goal was to use the revenue from the proposed Storm Water User Fee to provide a higher level of service. Christensen stated this was a large system and it was easy to forget about it. Mayor Thomas asked what problems would arise if this higher level of service wasn't performed. McAfee referred to the flooding that took place in 1989. There also was runoff from construction sites and trash in

streams that needed to be cleared. The goal was to keep water free flowing in order to minimize risks. Council Member Beerman stated this program would happen, but the question was how this would be funded. Christensen agreed that many elements of the program were required, but in addition, the maintenance of infrastructure should not be ignored. Council Member Henney asked what the higher level of service included. McAfee stated the City was currently reactionary in dealing with the water systems, noting sink hole repairs and other problems. This fee would increase cleaning programs with a vac truck, requiring more inspections of construction sites, and other services. He noted that most of the expense of offering a higher service would come from hiring additional personnel.

Christensen reviewed the fee estimates of implementing a Storm Water User Fee. He stated this user fee would be assessed in addition to the water impact fee, and it would be tied to the water energy intensity of the property. There was discussion on Equivalent Surface Units (ESUs) and the associated water rates. It was also noted that this fee would be included with property's water bill. Christensen stated that if this fee was implemented, an appeal process would be set up for property owners with extenuating circumstances.

Christensen presented four options to the Council: Option Zero-Don't assess a storm water fee, Option One-Have a low fee that would only cover the MS4 required costs, Option Two- Assess a medium fee that would cover all operational costs, as well as using resort sales tax revenue, and, Option Three- Assess a high fee for all costs, as well as using a small portion of resort sales tax revenue. The Council supported Option Three. McAfee noted that Option Three wouldn't cover capital projects because projects were normally covered by the resort sales tax, and a bond might be necessary at some point. Council Member Henney stated that the resort sales tax could still be used for capital projects if it was unassigned because it could be reassigned as needed.

REGULAR MEETING

II. Roll Call

Attendee Name	Title	Status
Jack Thomas	Mayor	Present
Andy Beerman	Council Member	Present
Becca Gerber	Council Member	Present
Tim Henney	Council Member	Present
Cindy Matsumoto	Council Member	Present
Nann Worel	Council Member	Present
Diane Foster	City Manager	Present
Mark Harrington	City Attorney	Present
Matt Dias	Assistant City Manager	Present
Michelle Kellogg	City Recorder	Present

III. Communications and Disclosures from Council and Staff:

Foster indicated that she had considered adding a Council meeting on March 17, but in looking at the workload, she did not recommend adding that meeting. The Council agreed.

Manager's Report – McPolin Farm Ecker Hill Middle School (EHMS) Art Class:

No comments were given.

Manager's Report – 2015 Building Activity Yearly Report:

No comments were given.

IV. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Sarah Pearce, Sundance Institute, expressed her thanks for the City's help with the Sundance Festival by presenting a framed poster signed by award winning filmmakers. She appreciated the support from Council and staff, and gave a special thank you to Dave Gustafson, Chad Root and his team, Michelle Downard, Tate Shaw, the Police Department and Hugh Daniels.

Bill Humbert, stated he rides the bus eight times a week and thanked the transit group for a job well done. He also wanted to talk about dogs. His daughter and granddaughter were walking and two dogs that were off-leash presented a threat. He felt there was no safe place to walk in Park City without being threatened by off-leash dogs. He thought the irresponsible dog owners were reflecting back on the responsible dog owners, and suggested creating a City animal control department that could go after these irresponsible dog owners. He also suggested ending the pilot program immediately.

Susan Johnson asked if muzzles could be required for off leash dogs. She also stated she was here on behalf of the Park City youth. She indicated the youth of the City had nowhere to go without spending money, and she recommended establishing a youth rec center. She noted her daughter needed a place to socialize.

Lori Wilson stated there were house parties that the police had to break up and suggested using the Miner's Hospital for a youth rec center.

Sonoma Mougnot, 16, replied to Council Member Gerber's comment that teens might not want to go to a teen center, and indicated that if there was, for example, a movie room, ping pong tables and a snack bar, she would go. Council Member Henney asked to hear from a room full of youth.

Holly Flanders stated she had raised children here for 27 years and had seen kids fall through the cracks, and she thought a youth rec center was a good idea.

V. Consideration of Minutes

1. Consideration of a Request to Approve the City Council Meeting Minutes from February 4, 2016 and February 5, 2016:

Council Member Beerman moved to approve the City Council Meeting minutes from February 4, 2016 and February 5, 2016. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VI. Consent Agenda

1. Request to Authorize the City Manager to Execute an Amendment to the Park Avenue Pathways Design and Engineering Agreement with Horrock's Engineering, in a form Approved by the City Attorney, as Change Order No. 1, for an Increase to the Contract in an Amount not to Exceed \$71,188, in a Total Contract Amount not to Exceed \$368,674:

2. Request to Authorize the City Manager to Enter into an Addendum 2 to the Professional Service Provider Agreement in a Form Approved by the City Attorney's Office with MGB+A, in the Amount of Thirty Nine Thousand Nine Hundred Fifty Dollars (\$39,950):

3. Request to Authorize the City Manager to Enter into a Contract in a Form Approved by the City Attorney's Office with Caddis Architectural in an Amount not to Exceed One Hundred and Thirty Seven Thousand, Five Hundred and Sixty Dollars (\$137,560) for Phases II and III of the 1450-1460 Park Avenue Affordable Housing Project:

4. Request to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with Horrocks Engineers for Design and Construction Services for the Thaynes Canyon Subdivision Improvements Project in an Amount of \$43,408.00:

5. Request to Authorize the City Manager to Execute Contract Change Order No. 4 to Construction Agreement with Beck Construction and Excavation in a Form Approved by the City Attorney for Additional Construction Services Related to the Construction of Phase 2 for Deer Valley Drive in an Amount up to \$52,475.47 for a New Total Cost of \$963,355:

6. Request to Authorize the City Manager to Execute the Second Amendment to the Professional Services Agreement, in a Form Approved by the City Attorney, with CH2M Hill Engineers, Inc., for Judge and Spiro Tunnels Mining-Influenced-

Water Treatment Evaluation Phases IB-2 and IC Engineering Services and for an Increase to the Agreement in an Amount not to Exceed \$420,000:

7. Request for Authorization to Purchase Mining Influenced Water (M-I-W) Piloting Equipment from Intuitech, Inc. in an Amount of \$77,700 to Support the Treatment Evaluation Being Performed by CH2M for the Judge and Spiro Tunnel Waters:

Council Member Worel moved to approve the Consent Agenda. Council Member Beerman seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VII. Appointments and Resignations

1. Planning Commission Appointment:

Mayor Thomas indicated that Laura Suesser was appointed as a Planning Commission member.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

VIII. Old Business

1. 2016 Legislative Update:

Matt Dias, Assistant City Manager, presented this item. He reviewed the bill tracking list that was distributed to the Council, and noted the nightly rental bill was a concern to the City, indicating it was an attempt to take away local authority of where the rentals could be designated and regulated. He also thanked the Council members who attended the legislative event last night and noted he received two thank you emails from Representative Kraig Powell and Senator Kevin Van Tassell.

IX. New Business

1. Consideration of Resolution 02-16, a Resolution Amending Section 10, Miscellaneous Fees, and Replacing and Repealing Resolution 08-14 in its Entirety:

Jenny Diersen, Special Events Coordinator, presented this item. She requested the approval of the special event fee amendments.

Council Member Beerman moved to approve Resolution 02-16, a resolution amending Section 10, Miscellaneous Fees, and replacing and repealing Resolution 08-14 in its entirety. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

2. Consideration of Resolution 03-16, a Resolution Creating a Park City Municipal Dog 'Task Force' and Appoint the Recommended At-Large Community Members to the Park City Dog Task Force:

Heinrich Deters, Sustainability, presented this item. He indicated the task force members included Tod Frohnen, Barbara Maw, Alison Childs, Becky Burns, and Ed Parigian. Council Member Worel asked how many of the applicants owned dogs. It was indicated that four of the five members owned dogs. Deters asked if a Council member would be willing to be a liaison for this task force. Council Member Gerber volunteered to be the liaison.

Council Member Matsumoto moved to approve Resolution 03-16, a resolution creating a Park City Municipal Dog 'Task Force' and appoint the recommended at-large community members to the Park City Dog 'Task Force' as noted in the staff report, as well as assign Council Member Gerber to be the liaison for this task force with Council Member Henney as an alternate liaison. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

3. Consideration of Ordinance 16-08, an Ordinance Approving the One Empire Pass Condominiums Record of Survey Plat, Located at 8910 Empire Club Drive, Park City, Utah, Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Mayor Thomas recused himself for this item because he helped work on a master plan for this project. Kirsten Whetstone, Senior Planner, presented this item. She reported that the Planning Commission forwarded a recommendation to approve this plat amendment.

Mayor Pro Tem Beerman opened the public hearing.

Ed Parigian stated there were dark sky ordinances in the town and he hoped the lights would be limited to what was on the books.

Mayor Pro Tem Beerman closed the public hearing portion of the meeting.

Whetstone stated this was a conditional use permit and there were design guidelines which the developer had complied with. Council Member Gerber asked if commercial development was proposed in this area. Whetstone stated the development was all residential in this case.

Council Member Matsumoto moved to approve Ordinance 16-08, an Ordinance approving the One Empire Pass Condominiums Record of Survey Plat, located at 8910 Empire Club Drive, Park City, Utah, pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

4. Review the Update from the Design Team of CRSA and Authorize the City Manager to Enter into a Construction Manager at Risk (CMAR) Agreement in a Form Approved by the City Attorney's Office with Hogan and Associates, Inc., in the Amount of Twenty One Thousand Nine Hundred Dollars (\$21,900):

Jonathan Weidenhamer, Economic Development Manager, Steven Cornell, CRSA, Dave Anderson, Hogan Construction, and Brent Goodman, BHB Structural Engineers, presented this item. Weidenhamer also acknowledged that Denise Carey, Golf Coordinator, and Anya Grahn, Planning, also worked on this project. Cornell displayed photos of the barn, and stated the goal was to stabilize the barn so as to make it accessible. They indicated they would be upgrading the snow load capacity on the roof and the building would resist snow, wind and seismic forces.

Council Member Worel asked if this could be an event space. Goodman stated the upgrades were being done for a low occupancy barn so there were no plans for heating and cooling, but there would be lights. It would take a higher upgrade to make it accessible to large groups.

Council Member Henney liked the proposal for the structural upgrade. He stated if the community would like this to be an event space at a later date, another phase could be implemented. Carey stated a survey was distributed and the response was to retain the barn as it was, and 75% of respondents wanted to be able to tour the facility.

Council Member Henney moved to approve the Construction Manager at Risk (CMAR) Agreement in a form approved by the City Attorney's Office with Hogan and Associates, Inc., in the amount of Twenty One Thousand Nine Hundred Dollars (\$21,900). Council Member Matsumoto seconded the motion.

RESULT: APPROVED

AYES: Council Members Beerman, Gerber, Henney, Matsumoto and Worel

5. Consideration to Authorize the City Manager to Enter into a Professional Service Provider Agreement in a Form Approved by the City Attorney's Office with GSBS Architects, in the Amount of Nine Hundred Fifty Three Thousand Three Hundred Fifteen Dollars (\$953,315) for Phase 2 Schematic Design, Design Development, Construction Documents and Administration:

Council Member Beerman recused himself for this item. Jonathan Weidenhamer, Economic Development Manager, presented this item. David Brems and Clio Rayner from GSBS Architects were also present. Weidenhamer explained that this contract would design the project, including the parking. He requested that the contract be approved for whatever design is approved by the Council.

Council Member Worel asked if the cost of this contract was over and above the project cost. Weidenhamer confirmed that these costs were not included in the project cost and would be about 10% of the project cost, which was very reasonable in his opinion. Council Member Worel was concerned that this agreement might be premature since the community had not voiced their approval. Weidenhamer stated there had been community outreach and he stated additional outreach would continue and the design would be refined based on the continuous feedback.

Council Member Matsumoto remembered that a lot of community outreach was conducted at the end of last year and direction had been given with regard to the scope. Council Member Gerber indicated that staff had distributed letters to the surrounding area noticing a meeting for this project, and she felt a good job had been done with regard to community outreach.

Brems indicated a dual design was being worked on with onsite parking and offsite parking. Council Member Henney shared a concern with the cost, but he felt the Council had made the decision that this project was important. He acknowledged that he was really struggling with the parking cost. Mayor Thomas stated that when the Council received a cost model, a decision would be made and the costs would be reevaluated.

Mayor Thomas opened the meeting for public input.

Thea Leonard stated this project kept expanding, and she wanted the project to keep moving. She noted that she was shocked this project was so expensive and hoped there was a way to bring the project back to a sane amount. She supported having the parking onsite.

Mayor Thomas closed the public input portion of the meeting.

Council Member Matsumoto didn't think this project had gone overboard yet, and it needed to move forward with the soil study so decisions could be made. Further discussion ensued. It was indicated that some of the sales tax resort revenue that would be saved because of a storm water user fee could be used towards this project.

Council Member Worel stated she was open to approving a phased contract with GSBS. Council Member Henney agreed but knew the proposed contract was for up to this certain amount, which was built-in phasing. He favored a contract that spelled out the phases.

Brems explained that this process could go through the dual process through the schematic design. At the end of this phase, a decision would be able to be made with regard to parking.

Council Member Matsumoto moved to approve the process through the schematic design with additional services including the geotech service, approved by staff in an amount not to exceed \$240,000 with GSBS Architects. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, and Matsumoto

NAY: Council Member Worel

RECUSED: Council Member Beerman

X. Adjournment

With no further business, the meeting was adjourned.

Michelle Kellogg, Park City Recorder